

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

**LAURA BARBER, on behalf of
herself and others similarly,**

Plaintiffs,

vs.

CIVIL No. 03-1404 WPJ/RLP

**REGENTS OF THE UNIVERSITY OF
CALIFORNIA, d/b/a Los Alamos National
Laboratory,**

Defendant,

Consolidated with

YOLANDA GARCIA, et al.,

Plaintiffs,

vs.

CIVIL No. 04-0112 WP/RLP

**REGENTS OF THE UNIVERSITY OF
CALIFORNIA, AND G. Peter Nanos, in
His individual and official capacities,**

Consolidated with

VERONIQUE A. LONGMIRE,

Plaintiff,

vs.

CIVIL No. 05-1082 JH/DJS

**REGENTS OF THE UNIVERSITY OF
CALIFORNIA, d/b/a LOS ALAMOS NATIONAL
LABORATORY,**

Defendant,

Consolidated with

VERONIQUE A. LONGMIRE,

Plaintiff,

vs.

CIVIL No. 07-00673 DJS/ACT

**REGENTS OF THE UNIVERSITY OF CALIFORNIA
/d/b/a LOS ALAMOS NATIONAL LABORATORY,
and LOS ALAMOS NATIONAL SECURITY, LLC
d/b/a LOS ALAMOS NATIONAL LABORATORY,**

Defendants,

Consolidated with

VERONIQUE A. LONGMIRE,

Plaintiff,

vs.

CIVIL No. 07-0753 LAM/LFG

**REGENTS OF THE UNIVERSITY OF CALIFORNIA
/d/b/a LOS ALAMOS NATIONAL LABORATORY,
and LOS ALAMOS NATIONAL SECURITY, LLC
d/b/a LOS ALAMOS NATIONAL LABORATORY,**

Defendants.

**DEFENDANTS' MOTION FOR SUMMARY JUDGMENT
ON EQUAL PAY ACT AND BREACH OF CONTRACT CLAIMS
(Nos. 03-1404 and 07-00673)**

Pursuant to Federal Rule of Civil Procedure 56, Defendants Regents of the University of California and Los Alamos National Security, LLC respectfully move the Court to enter summary judgment on all of Plaintiff's pending claims asserted in the actions numbered CV 03-1404 and CV 07-00673 for violation of the Equal Pay Act and for breach of contract. As

grounds for this Motion, Defendants state that Plaintiff and the three male employees to whom Plaintiff compares herself did not perform substantially equal jobs. Further, the Administrative Manual provisions on which Plaintiff relies for her breach of contract claims do not rise to the level of an enforceable agreement and, even if they did, there is no evidence that they were breached. Thus, Defendants are entitled to a judgment as a matter of law.

Defendant is filing herewith a memorandum brief in accordance with D.N.M.LR-Civ. 56.1(b) (2008).

This motion is opposed.

WHEREFORE, Defendants respectfully request that the Court grant summary judgment in their favor on all of Plaintiff's claims asserted in the actions numbered CV 03-1404 and CV 07-00673 and dismiss those Complaints in their entirety and with prejudice.

Respectfully submitted,

RODEY, DICKASON, SLOAN, AKIN & ROBB, P.A.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on July 14, 2008, I filed the foregoing electronically through the CM/ECF system, which caused the following parties or counsel to be served by electronic means, as more fully reflected on the Notice of Electronic Filing:

franpol@netzero.net [Pro Se Plaintiff]

/s/ _____
Scott D. Gordon